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REMARKS

By the preceding amendments, the specification has been amended, as and where noted in the Office Action noted above.

You are requested to reconsider the rejection of claims 1, 2, 8, and 12 under 35 U.S.C. § 103(a) over Lewis (US 6,766,534).

USPTO records show that an assignment of the application for Lewis (US 6,766,534) from the inventors named therein (who include the two inventors named in the instant application) was executed on July 28, 2003, and was recorded as of July 28, 2003, on Reel 014346, Frame 0459.

USPTO records show that an assignment of the instant application from the two inventors named therein to Morning Pride Manufacturing, L.L.C., was executed on March 1, 2004, and was recorded as of March 1, 2004, on Reel 015046, Frame 0191

Thus, under 35 U.S.C. § 103(c)(1), Lewis (US 6,766,534) should not preclude patentability of the invention claimed in the instant application, even if were assumed *arguendo* that this patent qualified as prior art under 35 U.S.C. § 102(e), (f), or (g).

You are requested to reconsider the rejection of claims 1 through 14 as being unpatentable under 35 U.S.C. § 103(a) over Walton (US 4,899,336) in view of La Marre *et al.* (US 3,691,564).

Worton discloses a protective coverall having "protective leather, suede or other fire-proof material" (column 2, line 6) overlying only portions of the chest, arm, and thigh areas of the protective coverall.

Walton explains in column 2, lines 48 *et seq.*, that "whereas the invention has been described in the context of overlying the coverall fabric with fire-proof material throughout the chest, arm and thigh areas, it will be appreciated that

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significant advantages can be had only if portions of those areas were so protected, instead of the entire area as herein described;...."

Hence, it would contradict the teachings of Walton, because "significant advantages" would not be then had, if more than portions of the chest, arm, and thigh areas of the coverall would be so covered.

La Marre *et al.* discloses a protective jacket having a front panel 11, over a major portion of which is a covering 19 of metallic foil or of metallized plastic, as described in column 3, lines 12 *et seq.*, as follows:

Covering 19 extends from substantially the bottom of the jacket to a location at about the bottom of the sternum of a wearer where the jacket is in use. It has been determined to be important that the material not extend much higher. If it does, the wearer may become exposed to the reflection of undesirable ultraviolet rays which can cause burning of his face, chin, and neck.. If the collar 14 extends high enough though, e.g., as a high "turtleneck," then the reflective material of covering 19 may extend higher since the collar will protect the wearer's neck and chin.

Hence, even where the collar 14 would extend as a high "turtleneck", it would contradict the teachings of La Marre *et al.* for the covering 19 to extend "much higher" than at or about the bottom of the sternum of the wearer.

Thus, nothing in Walton or in La Marre *et al.* would motivate a person having ordinary skill in the art to modify the protective coverall of Walton, in view of La Marre *et al.*, so as to result in the front portion including "a fluid-impervious, heat-reflective layer, which is continuous from a region at or near a top of said garment to a region at or near a bottom of said garment", as claimed in claim 1 and its dependent claims.

Also, nothing in Walton or in La Marre *et al.* would motivate a person having ordinary skill in the art to modify the protective coverall of Walton, in

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view of la Marre *et al.*, so as to result in "substantially the entire front portion including a continuous, fluid-impervious, heat-reflective layer", as claimed in claim 8 and its dependent claims.

The undersigned attorney submits, therefore, that all claims are allowable and solicits their allowance.

Respectfully submitted,

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